

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF RECLAMATION  
Fountain Square  
Columbus, Ohio 43224



APPLICATION FOR AN INCIDENTAL BOUNDARY REVISION  
This Form Cannot Be Utilized For The Removal Of Coal  
(File in-Quadruplicate)

1. Permittee's Name The Ohio Valley Coal Company Phone # (614) 926-1351
2. Address 56854 Pleasant Ridge Road Zip Code 43902  
Alledonia, Ohio
3. Coal Mining Permit # D-0360
4. Additional acres to be permitted 2.4
5. Has this acreage been affected? Yes \_\_\_\_\_, No x
6. Describe the reason this additional acreage is required.

New air shaft.

7. Describe the activities to be conducted on this area.

Construction of new air shaft.

8. Is the information contained in the previously approved permit application applicable to this revised area? Yes x, No \_\_\_\_\_.

If "no", describe any changes to the previously approved permit application that will apply to this revised area.

(continued on reverse side)

APPROVED ☒  
DISAPPROVED ☐  
INSP. [Signature]  
SUPVR. [Signature]  
DATE 12-8-93

IBR  
D-0360  
2.4 acres

ORIGINAL



9. LOCATION OF ADDITIONAL ACRES TO BE AFFECTED DURING PERMIT . . . (List all surface and mineral owners and all locations applicable to each ownership as shown on the location map. If owner name is repeated, show address only once. If permittee is owner, address is not necessary.)

NAME OF SURFACE AND MINERAL OWNERS	Twp. & Range	Section	Township	County
Name <u>Arnold &amp; Clara R. Helms</u> Address <u>49563 OR&amp;W Station</u> City & State <u>Jacobsburg, Ohio</u> <u>43933</u> Surface <u>x</u> Mineral <u>x</u> Zip _____	T6-R4	3	Smith	Belmont
Name _____ Address _____ City & State _____ Surface _____ Mineral _____ Zip _____				
Name _____ Address _____ City & State _____ Surface _____ Mineral _____ Zip _____				

(If additional space is needed, list on a separate sheet in this format.)

I, the undersigned authorized representative of the permittee, hereby attest that no coal has been or will be removed from the acreage identified in this application.

David L. Bartsch Project Engineer 12/3/93  
Signature Title Date

(FOR DIVISION USE ONLY)

This application is hereby approved by the Chief, Division of Reclamation and effective this date. The acreage identified in item 5 of this application is now part of permit D-0360.  
(permit #)

January 13, 1994 Glen Kier / mpr  
Date Chief, Division of Reclamation

\$ 6,000.00 of performance bond and \$ 180.00 acreage fee was received on 1-3-94.  
(Date)



### SUMP DESIGN

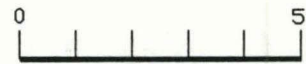
All surface runoff from the site will be directed through a sump located immediately adjacent to the construction pad. The sump will be approximately 10 ft. long x 5 ft. wide x 3 ft. deep. Sumps measuring 5 ft. long x 5 ft. wide x 3ft. deep will be located along the access road. A hay bale dike will be placed in such a manner that the overflow from a sump must pass through the hay prior to entering the receiving stream. Sumps will be cleaned when they are less than full with sediment.

IBR  
D-0360  
2.4 acres

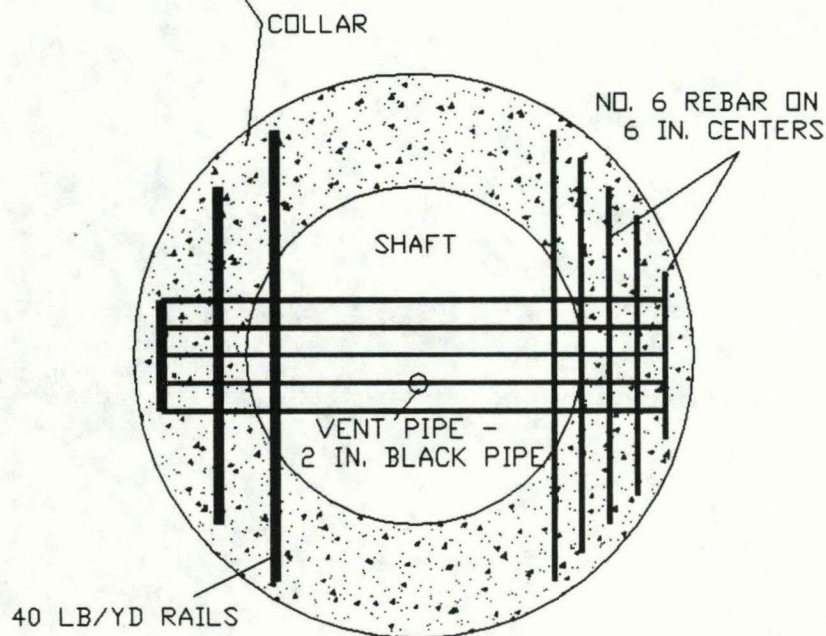
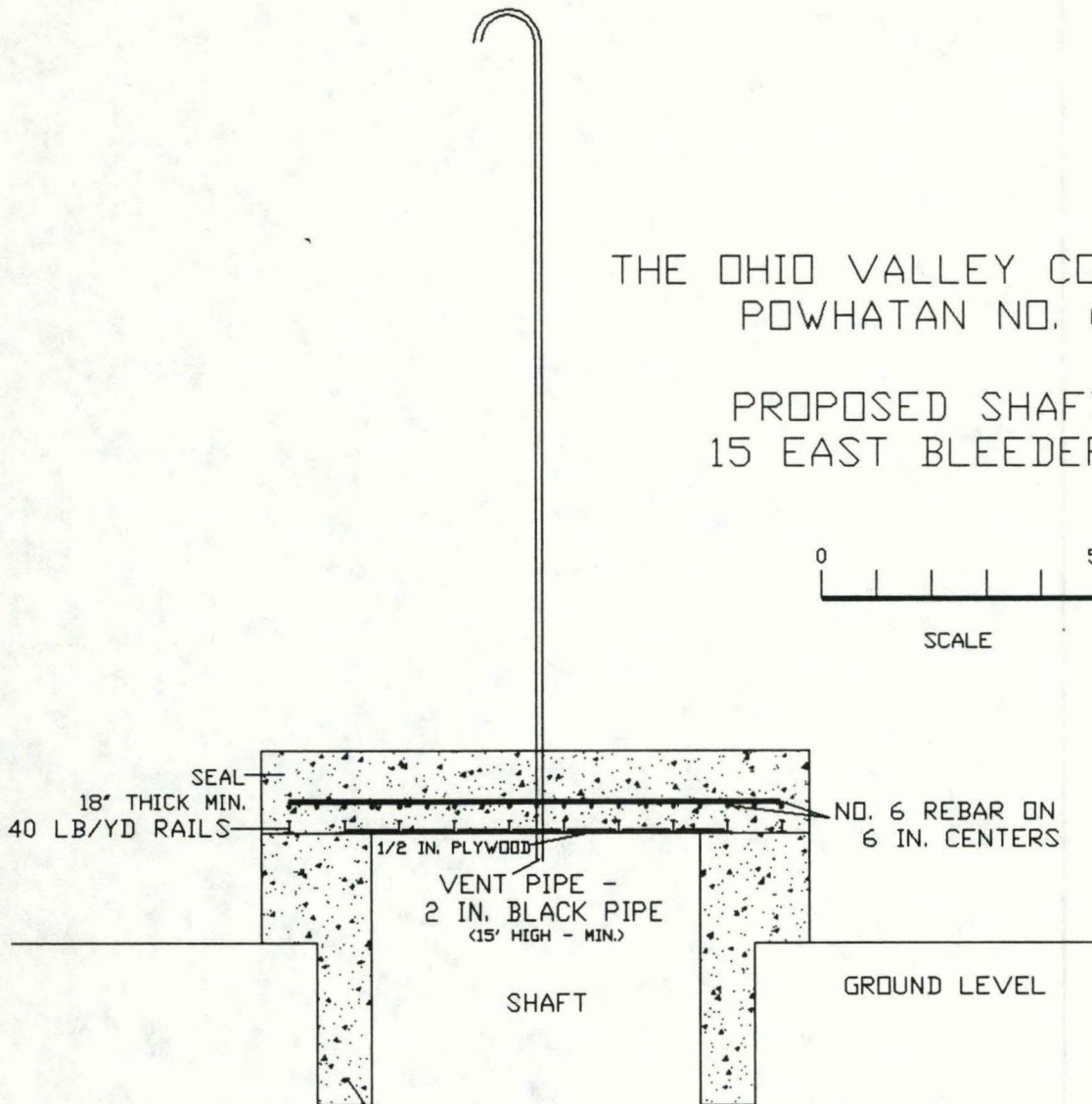
SECTION VIEW

THE OHIO VALLEY COAL COMPANY  
POWHATAN NO. 6 MINE

PROPOSED SHAFT SEAL  
15 EAST BLEEDER SHAFT



SCALE



PLAN VIEW

IBR  
D-0360  
24 acres



**VALID EXISTING RIGHTS**

IBR  
D-0360  
2.4 acres

### VALID EXISTING RIGHTS

Valid existing rights for the Powhatan No. 6 Mine exist as shown on the following pages. These pages are excerpted from the original D-0360 permit and the D-0360-3 permit revisions. The mining rights in this area were obtained by the Empire Coal Company in 1901. The property was transferred to the Rail and River Coal Company in 1907, then to The North American Coal Corporation in 1951, then to The NACCO Mining Company in 1970. The NACCO Mining Company changed its name to The Ohio Valley Coal Company in 1988. The Ohio Valley Coal Company entered into a lease agreement with North American Royalty Company in 1989 to mine reserves held by The North American Coal Corporation. The Ohio Valley Coal Company has a valid existing right to affect the lands described herein.

IBR  
D-0360  
2.40 acres



ADDENDUM TO PAGE 11, PART 1, C(1)(b)  
PAGE ELEVEN

Item 39: Deed Rights to Tract 114N

Mining Rights: Party of the Second part to have the free and uninterrupted right of way into, upon, and under said land, at such points and in such manner as may be proper and necessary for the purpose of digging, mining, draining and ventilating and carrying away said coal, (hereby waiving all surface damages or damages of any sort, arising therefrom, or from the removal of all of said coal), together with the privilege of mining and removing through said described premises, other coal belonging to said party of the Second part, its successors and assigns, or which may hereafter be acquired.

Item 40: Deed Rights to Tract 115N

Mining Rights: Party of the second part to have the free and uninterrupted right of way into, upon and under said land, at such points, and in such manner as may be proper and necessary for the purpose of digging, mining draining and ventilating and carrying away said coal, (hereby waiving all surface damages or damages of any sort arising therefrom, or from the removal of all of said coal) together with the privilege of mining and removing through said described premises, other coal belonging to said party of the second part, their heirs and assigns, or which may hereafter be acquired.

Item 41: Deed Rights to Tract 116N

Mining Rights: Party of the Second part to have the free and uninterrupted right of way into, upon and under said land at such points and in such manner as may be proper and necessary for the purpose of digging, mining draining and ventilating, and carrying away said coal, (hereby waiving all surface damages or damages of any sort, arising therefrom, or from the removal of all of said coal), together with the privilege of mining and removing through said described premises, other coal belonging to said party of the Second part, its successors and assigns or which may hereafter be acquired.

Item 42: Deed Rights to Tract 125N

Mining Rights: Party of the second part to have the free and uninterrupted right of way into, upon and under said land at such points, and in such manner as may be proper and necessary for the purpose of digging, mining and draining and ventilating and carrying away said coal, (hereby waiving all surface damages, or damages of any sort arising therefrom or from the removal of all of said coal), together with the privilege of mining and removing through said described premises other coal belonging to said party of the second part, its successors and assigns, or which may hereafter be acquired.

IBR  
D-6360  
2.4 acres

LANDOWNERS

IBR  
D-0360  
2.4 acres



OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF RECLAMATIONATTACHMENT 4  
(ADJACENT OWNERS)Applicant's Name The Ohio Valley Coal Company

This attachment is to be completed and submitted with the permit application if the response to item A.(12) in Part 1 of the permit application is "yes."

Name of owner Robert E. & Mildred HachenburgAddress 1044 Tuscarawas AvenueCity Barberton State Ohio Zip 43906☒ Surface, ☐ MineralName of owner Loresine PhillipsAddress 49560 OR&W Station RoadCity Jacobsburg State Ohio Zip 43933☒ Surface, ☐ MineralName of owner Robert C. & Nancy A. DunfeeAddress 49586 Jacobsburg - Key RoadCity Jacobsburg State Ohio Zip 43933☒ Surface, ☐ Mineral

Name of owner \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

☐ Surface, ☐ Mineral

IBR  
D-0360  
2.4 acres

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF RECLAMATION

ATTACHMENT 8  
(SURFACE OWNERS' CONSENTS)

Applicant's Name The Ohio Valley Coal Company

This attachment may be completed and submitted with the permit application if the response to item C.(2) in Part 1 of the permit application is "yes."

I (We) the undersigned, hereby consent to the proposed  
\* surface mining of coal by the above named applicant on the lands described below on which I (We) are the legal surface owner(s) of record.

Owner's name Arnold Helms

Owner's Signature Arnold L. Helms Date Dec. 7 - 1993

County Belmont Township Smith

Sections 3 Lots \_\_\_\_\_ Acres 48.3

Owner's name \_\_\_\_\_

Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_

County \_\_\_\_\_ Township \_\_\_\_\_

Sections \_\_\_\_\_ Lots \_\_\_\_\_ Acres \_\_\_\_\_

Owner's name \_\_\_\_\_

Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_

County \_\_\_\_\_ Township \_\_\_\_\_

Sections \_\_\_\_\_ Lots \_\_\_\_\_ Acres \_\_\_\_\_

Owner's name \_\_\_\_\_

Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_

County \_\_\_\_\_ Township \_\_\_\_\_

Sections \_\_\_\_\_ Lots \_\_\_\_\_ Acres \_\_\_\_\_

\* Proposed surface mining of coal shall consist of site preparation and sinking of an air shaft. A fan will be located at this air shaft also.

*IBK  
D-0360  
2.4 acres*



I, the undersigned, state that the pre-mining land use for this property was woodland/pastureland. I agree that the post-mining land use will be woodland/pastureland following reclamation. In addition, I agree that the existing farm road will be improved and will remain for access following reclamation.

Arnold L. Helms  
Arnold L. Helms

Dec. 7-1993  
Date

IBR  
D-0360  
2.4 acres

**PRIME FARMLAND DETERMINATION**

IBR  
D-0360  
2.40 acres



OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF RECLAMATION

ATTACHMENT 16  
(NEGATIVE DETERMINATION OF PRIME FARMLAND)

Applicant's Name The Ohio Valley Coal Company

This attachment is to be completed and submitted with the permit application if the applicant is demonstrating that the permit area or a portion of the permit area is not prime farmland. Check (✓) the appropriate item numbers and attach the documents used to make the demonstration.

- ☐ 1. Lands within the proposed permit area have not been historically used for cropland.
- ☐ 2. The slope of the land within the proposed area is greater than eight percent.
- ☒ 3. On the basis of a second order soil survey meeting the standards of the National Cooperative Soil Survey, there are no soil map units within the proposed permit area that have been designated prime farmland by the U.S. Soil Conservation Service.
- ☐ 4. On the basis of a first order soil survey commissioned by the applicant and meeting the standard of the National Cooperative Soil Survey, there were found to be no prime farmland map units as designated by the S.C.S. within the proposed permit area (see Attachment 15, item 2 for 1st order survey criteria).

IBR  
D-0360  
2.4 acres



November 24, 1993

Mr. James W. Forshey  
District Conservationist  
U. S. Department of Agriculture  
Soil Conservation Service  
Bannock Road  
St. Clairsville, Ohio 43950

Dear Mr. Forshey:

The Ohio Valley Coal Company is preparing to submit for an incidental boundary revision to our mining permit D-0360 for a small area in Section 9, Smith Township, Belmont County, Ohio. The area (approximately 2 acres) is shown on the attached map from the Soil Survey of Belmont County, Ohio (July, 1981), Page 53. Please determine if the area shown in red and yellow contains prime farmland. The area contains the following soil types:

WmC - Westmoreland Silt Loam  
LpF - Lowell-Westmoreland Silt Loam  
LoD - Lowell-Westmoreland Silt Loam  
LoE - Lowell-Westmoreland Silt Loam  
CuC - Culleoka Silt Loam

If you have any questions, please contact me. Your prompt consideration in this matter would be greatly appreciated.

Very truly yours,

THE OHIO VALLEY COAL COMPANY

David L. Bartsch, P. E.  
Project Engineer

Enclosure

56854 PLEASANT RIDGE ROAD • ALLEDONIA OHIO 43902 • (614) 926-1351 • FAX (614) 926-1615

*IBK  
D-0360  
2.4acm*

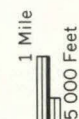
TOVCC 23037







N



Scale 1:15 840 0

Approximate permit Boundary  
Prime Farmland

WHLB

TBR  
D-0360  
2.4 acres



**VARIANCE REQUESTS**

IBR  
D-0360  
2.4 acres



December 6, 1993

Mr. Glen G. Kizer, Chief  
Division of Reclamation  
Ohio Department of Natural Resources  
Fountain Square  
Columbus, Ohio 43224

Dear Mr. Kizer:

The Ohio Valley Coal Company respectfully requests a small area drainage exemption for the enclosed Incidental Boundary Revision pursuant to OAC 1501:13-9-04(B)(3)(a). An area of 2.4 acres will be developed for an air shaft. The shaft is to be located in Section 3, Smith Township, Belmont County, Ohio.

The area will be covered with a durable, non-erodible surface and the drainage will be controlled with the use of construction sumps (10 ft. x 5 ft. x 3 ft. or 5 ft. x 5 ft. x 3 ft.), hay bale dikes, and silt fencing. The silt fence will be placed to prevent sediment from entering the stream. The silt fence will be removed after construction of the shaft is complete and the area has been seeded.

Any discharge from this area, including discharge from the sump will meet effluent limitations.

If you have any questions, please contact me.

Very truly yours,

THE OHIO VALLEY COAL COMPANY

*David L. Bartsch*  
David L. Bartsch, P. E.  
Project Engineer

APPROVED	<input checked="" type="checkbox"/>
DISAPPROVED	<input type="checkbox"/>
DATE:	1-13-94
SIGNED	<i>Glen G. Kizer</i> Chief

*IBR  
D-0360  
2.4 acres*

56854 PLEASANT RIDGE ROAD • ALLEDONIA OHIO 43902 • (614) 926-1351 • FAX (614) 926-1615

TOVCC 23041





December 6, 1993

Mr. Glen G. Kizer, Chief  
Division of Reclamation  
Ohio Department of Natural Resources  
Fountain Square  
Columbus, Ohio 43224

Dear Mr. Kizer:

The Ohio Valley Coal Company respectfully requests a variance from the requirements of OAC 1501:13-9-04(E)(1) to conduct surface mining operations within 100 ft. of a stream. The stream is an unnamed tributary of Williams Creek in Section 3, Smith Township, Belmont County, Ohio. The surface mining operation will consist of the placement of a ventilation shaft and sub-station for meeting the ventilation requirements of the Powhatan No. 6 Mine.

Measures to control site drainage will include the use of silt fencing and hay bale dikes and small construction sumps (10 ft. x 5 ft. x 3 ft. or 5 ft. x 5 ft. x 3 ft.). The area will be covered with durable, non-erodible material. Reclamation will consist of covering the area with topsoil and seeding.

An Incidental Boundary Revision is enclosed with this request. If you have any questions, please contact me.

Very truly yours,

THE OHIO VALLEY COAL COMPANY

*David L. Bartsch*

David L. Bartsch, P. E.  
Project Engineer

APPROVED	<input checked="" type="checkbox"/>
DISAPPROVED	<input type="checkbox"/>
DATE:	1-13-94
SIGNED	<i>Glen G. Kizer</i> Chief

*IBP  
D-0360  
2.4 acres*



George V. Voinovich • Governor  
Frances S. Buchholzer • Director

December 17, 1993

Ohio Valley Coal Co.  
56854 Pleasant Ridge Rd.  
Alledonia, Ohio 43902

Gentlemen:

This is to notify you that bond and fees are due for the incidental boundary revision of permit #D-0360.

If the I.B.R. is for an issued permit and is complete, upon receipt of the acreage bond and fee, in the amounts listed below, your incidental boundary revision will be approved by the Chief.

Acreage fee	\$ <u>180.00</u>
Bond	\$ <u>6,000.00</u>

>pd. 1-3-93/4 jls.

The check for acreage fees should be made payable to: Treasurer, State of Ohio. Please refer to Policy/Procedure Directive Bonding 93-1 which provides information and guidelines for properly submitting bond and fees. If the IBR has been affected, the fee and bond shall be submitted together, within thirty (30) days receipt of this letter.

Failure to submit bond and fees within the allotted time will result in a notice of violation.

If you have any questions, please contact me at (614) 265-6640.

Sincerely,

Terri Hufford  
Bonding Supervisor  
Division of Reclamation

TRH/dm

cc: File  
Joyce L. Schramm  
St. Clairsville District Office

Certified #P 067 096 796

IBR  
D-0360  
2.4 acres



P 067 096 796



# **Receipt for Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, June 1991

Sent to	
Ohio Valley Coal	
Street and No.	
56854 Pleasant Ridge	
P.O., State and ZIP Code	
Alledonia OH 43902	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

## 3. Article Addressed to:

Ohio Valley Coal  
56854 Pleasant Ridge  
Alledonia OH 43902

## 4a. Article Number

D067096796

## 4b. Service Type

- |   |   |
|---|---|
| <input type="checkbox"/> Registered           | <input type="checkbox"/> Insured                        |
| <input checked="" type="checkbox"/> Certified | <input type="checkbox"/> COD                            |
| <input type="checkbox"/> Express Mail         | <input type="checkbox"/> Return Receipt for Merchandise |

## 7. Date of Delivery

12-20-93

## 5. Signature (Addressee)

D-360 J.L.S.  
Henry Ernest

## 6. Signature (Agent)

## 8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

PS Form 3811, December 1991 ☆ U.S.G.P.O. : 1992-307-530

**DOMESTIC RETURN RECEIPT**

TOVCC 23044



George V. Voinovich • Governor  
Frances S. Buchholzer • Director

December 17, 1993

Ohio Valley Coal Co.  
56854 Pleasant Ridge Rd.  
Alledonia, Ohio 43902

Gentlemen:

This is to notify you that bond and fees are due for the incidental boundary revision of permit #D-0360.

If the I.B.R. is for an issued permit and is complete, upon receipt of the acreage bond and fee, in the amounts listed below, your incidental boundary revision will be approved by the Chief.

Acreage fee	\$ 180.00
Bond	\$ 6,000.00

The check for acreage fees should be made payable to: Treasurer, State of Ohio. Please refer to Policy/Procedure Directive Bonding 93-1 which provides information and guidelines for properly submitting bond and fees. If the IBR has been affected, the fee and bond shall be submitted together, within thirty (30) days receipt of this letter.

Failure to submit bond and fees within the allotted time will result in a notice of violation.

If you have any questions, please contact me at (614) 265-6640.

Sincerely,

Terri Hufford  
Bonding Supervisor  
Division of Reclamation

TRH/dm

cc: File  
Joyce L. Schramm  
St. Clairsville District Office

Certified #P 067 096 796

IBR  
D-0360  
2.4 acres





January 10, 1994

**RECEIVED**

JAN 12 1994

**DIVISION OF  
RECLAMATION**

Ms. Joyce L. Schramm  
Permits and Processing Section  
Division of Reclamation  
Ohio Department of Natural Resources  
Fountain Square  
Columbus, Ohio 43224-1387

Dear Joyce:

Enclosed are revisions as requested for the 2.4 acre IBR for permit D-0360. The OH-CPA-65 form is enclosed with the correction from section 9 to section 3. An Attachment 4 is enclosed listing all adjacent surface owners within 100 ft. of the IBR. Please add Ohio Valley Coal as the mineral owner under item 9 of the application.

Your help in this matter is greatly appreciated. If you have any questions, please contact me.

Sincerely,  
THE OHIO VALLEY COAL COMPANY

David L. Bartsch, P. E.  
Project Engineer

enclosures

cc: File

*IBR  
D-0360  
2.4 acres*





IBR-0360-0015

George V. Voinovich • Governor  
Frances S. Buchholzer • Director

December 21, 1993

Ohio Valley Coal Company  
56854 Pleasant Ridge Road  
Alledonia, Ohio 43902

Gentlemen:

Your incidental boundary revision (I.B.R.) on Permit D-0360 for 2.4 acres was received on December 10, 1993. The IBR. has been judged incomplete.

Upon receipt of the following information processing will continue:

- Received  
1-12-94
1. OH-CPA-65: The form refers to section 9 (as does the request letter) while the IBR is located in section 3. This should be corrected and initiated by the district conservationist. Also, the acreage noted on the OH-CPA-65 form should reflect the entire IBR area.
  2. Provide an Attachment 4 listing all adjacent surface owners within 100 feet of the IBR.
  3. Ohio Valley Coal needs listed as the mineral owner under item #9 of the application. With your permission I will add this for you.

Any additional or revised documents must be submitted in quadruplicate.

If you have any questions, please contact me at (614) 265-6662.

Sincerely,

*Joyce A. Schramm*  
Joyce Schramm

Permits & Processing Section  
Division of Reclamation

JS:jl

cc: St. Clairsville District Office

IBR  
D-0360  
2.4 acres







## FORMS

Landowner Comment (if New)

OHCPA - request letter refers to Sec. 9 while TBL is in Sec. 3.  
Should at least put name of mineral owner OVC under item # 9 - I can do this with OVC's permission  
need att. 4 listing landowners within 100 feet.